

# House Amendment 8090

PAG LIN

1 1 Amend the Senate amendment, H=8054, to House File  
1 2 2212, as amended, passed, and reprinted by the House,  
1 3 as follows:  
1 4 #1. Page 1, line 34, by striking the word  
1 5 <private>.  
1 6 #2. Page 1, by inserting after line 34 the  
1 7 following:  
1 8 <\_\_\_\_. "Club" means club as defined in section  
1 9 123.3.>  
1 10 #3. Page 3, by striking lines 34 through 50.  
1 11 #4. Page 4, line 40, by striking the words  
1 12 <Private clubs> and inserting the following: <Clubs>.  
1 13 #5. Page 7, by striking lines 9 through 16.  
1 14 #6. Page 7, by inserting after line 34 the  
1 15 following:  
1 16 <\_\_\_\_. A restaurant, bar, hotel or motel as defined  
1 17 in section 123.3, club, or a licensee pursuant to  
1 18 chapter 99D or 99F, subject to the following:  
1 19 a. The restaurant, bar, hotel or motel, club, or  
1 20 licensee pursuant to chapter 99D or 99F is the holder  
1 21 of a class "A", class "B", class "C", or class "D",  
1 22 liquor control license for on-premises consumption  
1 23 pursuant to chapter 123, as applicable.  
1 24 b. The exemption from the prohibitions of section  
1 25 142D.3 applies only to the licensed premises as  
1 26 defined in section 123.3 of an entity specified under  
1 27 this subsection, subject to the following limitations:  
1 28 (1) If the holder of the liquor control license is  
1 29 a licensee pursuant to chapter 99D or 99F, in addition  
1 30 to any restaurants or bars located within the licensed  
1 31 premises, only the portion of the licensed premises  
1 32 which is the wagering area of a licensee pursuant to  
1 33 chapter 99D, or the gaming floor of a licensee  
1 34 pursuant to chapter 99F.  
1 35 (2) If the holder of the liquor control license is  
1 36 a hotel or motel, only the portion of the licensed  
1 37 premises which is a restaurant or bar.  
1 38 (3) If the licensed premises or a portion of the  
1 39 licensed premises is a restaurant or bar, only that  
1 40 portion of the restaurant or bar that is a designated  
1 41 smoking area. A smoking area shall be designated by  
1 42 the person having custody or control of the restaurant  
1 43 or bar, except in places in which smoking is  
1 44 prohibited by the fire marshal or by other law,  
1 45 ordinance, or regulation. Where smoking areas are  
1 46 designated, existing physical barriers and existing  
1 47 ventilation systems shall be used to minimize the  
1 48 toxic effect of smoke in adjacent nonsmoking areas.  
1 49 In the case of a restaurant or bar consisting of a  
1 50 single room, the provisions of this law shall be  
2 1 considered met if one side of the room is reserved and  
2 2 posted as a no-smoking area. A bar may be designated  
2 3 as a smoking area in its entirety. If a bar has  
2 4 within its premises a nonsmoking area, this  
2 5 designation shall be posted on all entrances normally  
2 6 used by the public. The person having custody or  
2 7 control of the restaurant or bar shall post  
2 8 appropriate signs indicating no-smoking or smoking  
2 9 areas and arrange seating accordingly. In addition,  
2 10 the statement "Smoking prohibited except in designated  
2 11 areas" shall be conspicuously posted on all major  
2 12 entrances to the restaurant or bar.  
2 13 c. The restaurant, bar, hotel or motel, club, or  
2 14 licensee pursuant to chapter 99D or 99F allows smoking  
2 15 only at a specified time during which only individuals  
2 16 twenty-one years of age or older are invited or  
2 17 admitted; the specified time is a regular, single,  
2 18 consecutive period of time; and the specified time is  
2 19 conspicuously posted on all major entrances of the  
2 20 licensed premises or the portion of the licensed  
2 21 premises as specified in paragraph "b", as  
2 22 applicable.>  
2 23 #7. By renumbering as necessary.  
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2 27 BAILEY of Hamilton  
2 28 HF 2212.726 82  
2 29 pf/rj/10973

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